Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: AW/69/25/HH

LOCATION: Lawnswood
Dark Lane
Aldwick
PO21 4AJ

PROPOSAL: Part retrospective application for alterations to outbuilding roof.

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION As above.

RELEVANT SITE HISTORY

AW/137/18/PL	Application for variation of condition following a grant of planning permission AW/44/18/HH relating to condition no. 2 & 3 - change of roof tile	ApproveConditionally 22-06-18
AW/44/18/HH	Replacement conservatory, new detached car port, alterations to outbuilding roof & alteration to roof tiles on dwelling & openings on all elevations.	ApproveConditionally 16-04-18

REPRESENTATIONS

Aldwick Parish Council - No objection.

No representations were received from nearby occupiers.

CONSULTATION RESPONSES RECEIVED:

None.

DEVELOPMENT PLAN POLICIES

Arun Local Plan 2011 - 2031:

DDM1	D DM1 Aspects of form and design quality
DDM4	D DM4 Extensions&alter to exist builds(res and non-res)
HERDM4	HER DM4 Areas of Character

PLANNING POLICY GUIDANCE:

NPPF National Planning Policy Framework

NPPG National Planning Practice Guidance

SUPPLEMENTARY POLICY GUIDANCE:

SPD13 Arun District Design Guide (SPD) January 2021

CONCLUSIONS

DESIGN AND VISUAL AMENITY

The outbuilding which is the subject of the application is located adjacent to the western boundary, close to 9 Craigweil Lane. The building remains close to the boundary as it curves to the north. A previous application on the site (AW/44/18/HH) sought permission to raise the roof of the outbuilding, whilst maintaining the roof form. The current application seeks planning permission for the alteration of the roofline of the outbuilding. As a result of this change, the maximum height of the roof will be altered from 2.4m to 2.9m. The proposed roof is asymmetric, and will be finished with roof tiles to match those of the main dwellinghouse. The outbuilding is not visible from the public realm, and the proposed alteration would not result in harm to the character or appearance of the existing outbuilding, host dwelling or street scene.

The proposal will not harm the character and visual amenity of the property and is acceptable in accordance with Arun Local Plan policies D DM1 and D DM4 .

NEIGHBOURING RESIDENTIAL AMENITY

The maximum height of the roof will be increased by 0.5m as a result of the works. The maximum height of the replacement roof would be set in from the shared boundary, with the eaves height next to the boundary being reduced slightly. Overall, the proposed alterations to the roof would not result in any additional harm to neighbouring properties in terms of overshadowing and overbearing impacts.

Given the nature of the proposed alterations to the roof, the proposal would not result in any additional overlooking impacts to neighbouring properties.

The proposal will not adversely impact neighbouring residential amenity by way of overbearing, overshadowing or overlooking and is in accordance with Arun Local Plan policies D DM1 and D DM4.

HERITAGE

The site is located within the Aldwick Street/Fish Lane Area of Character, a non-designated heritage asset. The proposal is for minor amendments to the roof form of an ancillary building, which is not visible from the public realm. The proposal would not result in harm to the Area of Character, and the proposal would preserve the character and appearance of the non-designated heritage asset, in accordance with policy HER DM4 of the Arun Local Plan and the NPPF.

SUMMARY

The development is in accordance with relevant development plan policies and is recommended for approval subject to the following conditions and informatives.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

CIL DETAILS

This application is not CIL liable.

RECOMMENDATION

APPROVE CONDITIONALLY

1 Those parts of the development hereby permitted which have not yet commenced, shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby approved shall be carried out in accordance with the following approved plans:

- Location Plan.
- Block Plan.
- Existing and Proposed Plans.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with Arun Local Plan policies D DM1 and D DM4.

3 Based on the information available, this permission is exempt from the requirement to provide a biodiversity gain plan under Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990. The following exemption applies:

This planning permission is for development which is a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason: In accordance with Schedule 7A of the Town and Country Planning Act 1990 (as amended).

4 INFORMATIVE: Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The Local

Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.